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Atty. Docket No. JP919990315US1
(590.048)**REMARKS**

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated May 24, 2007, a new rejection was made rejecting pending Claims 1-6 and 8-20 under 35 U.S.C. § 103(a) and the rejection was made final. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Rejection of claims under § 103(a)

Claims 1, 5, 6, 8-10 and 13-19 stand rejected as being unpatentable over U.S. Patent No. 6,993,559 to Jilk et al. (hereinafter "Jilk") in view of U.S. Patent No. 6,772,193 to Igawa et al. (hereinafter "Igawa") under 35 U.S.C. § 103(a).

With respect to the Igawa reference, Applicants respectfully point out that the application for the Igawa reference was filed on April 7, 2000. Applicants' current application was filed on March 29, 2001 with a priority claim made under 35 U.S.C. § 119(a-d) that refers to a Japanese application filed March 29, 2000. This claim has since been perfected. The Igawa reference is therefore unavailable as prior art against Applicants' claimed invention under 35 U.S.C. § 102(e). The foreign priority date of the Igawa reference under 35 U.S.C. § 119(a-d) cannot be used to establish a reference date under 35 U.S.C. § 102(e). MPEP § 2136.03(I). The rejection is therefore improper.

Applicants respectfully request that the Examiner withdraw the rejection of claims 1, 5, 6, 8-10 and 13-19 as being unpatentable over Jilk in view of Igawa under 35 U.S.C. § 103(a).

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Claims 2-4, 8, 11, 12 and 20 stand rejected as being unpatentable over Jilk in view of Igawa, and in further view of U.S. Patent No. 6,594,682 to Peterson et al. (hereinafter "Peterson") under 35 U.S.C. § 103(a).

Claims 2-4, 8, 11, 12 and 20 are all dependent claims that depend from independent claims 1, 6, and 10. Claims 2-4, 8, 11, 12 and 20 are all allowable for at least the same reasons as claims 1, 6, and 10 as discussed above. Applicants respectfully request that the Examiner withdraw the rejection of claims 2-4, 8, 11, 12 and 20 as being unpatentable over Jilk in view of Igawa, and in further view of Peterson under 35 U.S.C. § 103(a).

Interview Summary

On June 12, 2007 Applicants' representative John W. Zerr conducted an interview with Examiner Osman. Applicants and the undersigned would like to thank Examiner Osman for his time and the courtesy of extending Applicants another opportunity to discuss the current application.

As to the outstanding rejection Examiner Osman agreed that it should be withdrawn as Igawa cannot be applied against the current application under 35 U.S.C. § 102(e). Examiner Osman agreed to withdraw the rejection and issue a new rejection on the merits.

As to the Notice of Appeal filed by Applicants on April 23, 2007, Examiner Osman indicated that it was vacated by the issuance of the outstanding rejection, which effectively re-opened prosecution. It is Applicants' understanding that a new Notice of

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Appeal would have to be filed should circumstances warrant such an action but that no new fee need be paid.

As to the propriety of the issuance of the outstanding rejection or any further rejection as a Final Rejection, Examiner Osman indicated that such an action was necessitated by the Amendment filed by Applicants on August 18, 2006 as per MPEP 706.07(a). Applicants' representative did not agree and no resolution was reached as to this issue. Applicants' will withhold their arguments on this point pending the issuance of another Final Rejection.

Conclusion

The "prior art made of record" has been reviewed. Applicants acknowledge that such prior art was not deemed by the Office to be sufficiently relevant to have been applied against the claims of the instant application. To the extent that the Office may apply such prior art against the claims in the future, Applicant will be fully prepared to respond thereto.

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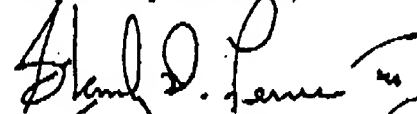
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In summary, it is respectfully submitted that the instant application, including Claims 1-6 and 8-20, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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